

REMARKS

The above amendment and these remarks are responsive to the Office action of 20 May 2004. Claims 1-19 are in the case, none as yet allowed.

35 U.S.C. 103

Claims 1-19 have been rejected under 35 U.S.C. 102(e) over Salas et al., ("Salas" USP 6,314,408) and Gershman et al. ("Gershman", USP 6,401,085).

Applicants' Invention

Applicants acknowledge the use of templates generally in the art at the time of their invention. However, what is newly added to that art by applicants' invention is the way in which templates are used to create the collaboration space.

In eRoom (the Salas reference), templates are used every time to assemble what is displayed to the user. That

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is, a template + the data are used to present the collaborative space to the user. The template is not used for the creation of the space itself, but for the creation of the visual representation of the space. (See Salas, Col. 6, lines 36-38 and Col. 10, lines 22-26).

In applicants' invention, templates are used once to create the collaborative space. Once it has been created, the template is not needed for that collaborative space to be used. That is, the template is used to create a fully functioning collaborative space. The template could be updated, and the collaborative space, or place, would not necessarily be updated.

Now, applicants acknowledge that a procedure to create a template based on existing data is taught by Gershman, and is therefore known in the art. However, what Gershman does not teach is the creation of self-standing collaborative places based on a template. The creation of such a collaborative place using a template presents certain challenges and opportunities not recognized or suggested by Gershman, even when considered in combination with Salas (which combination applicants traverse below).

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Those challenges and opportunities are illustrated by characteristics of applicants' invention. The templates to be used in creating the collaborative place needed to contain members, data content (like initial default pages) and a specific look (such as colors, and decorations). Further, the invention provides for presentation to a user of a list of possible templates from which places could be created. That is, the process of creating a collaboration place allows the user to pick and choose which template to use based on what templates the server administrator has made available. Still further, because templates are transportable from server to server, they can be distributed to template authors to allow places to be created from them. (See applicant's specification, pages 113-116.)

Applicants new and unobvious contributions to the art include a template in which certain characteristics that make a collaborative space are maintained, including a list of members with specific roles and the data structure of the place itself (the folders, rooms, particular look) as well as the aesthetics of the place. (See applicants' specification, pages 17, 75, 105-112, 117.)

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The Salas Reference

The material in Salas beginning at column 6, line 18 describes the operation of the page builder application. This resides on the client workstation and controls "generation, display, and management of eRooms." (See Col. 6, lines 18-20.) This page builder application retrieves an eRoom template, which is an HTML file having e-Room-specific information embedded in it which controls the page itself, controls on it, and the way the page's data is presented, created, or edited. (See Col. 6, lines 27-30, 36-39.)

The Examiner refers to this template as the equivalent of Applicant's place type, which Applicant characterizes in his specification also as a template. However, these templates are not the same. The Salas template is utilized by the page builder application to render the eRoom at the client. Applicant's template, or place type, is created from a first place for use by a user in creating a new place. Creating a new place from a place type (which Applicants claim) is not merely rendering an eRoom from a template (which Salas teaches). (To avoid this confusion, Applicant removed reference to "template" from his claims in a previous amendment.)

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Applicant previously amended the independent claims to refer to the first place as a preexisting place so that he may refer to it as such when claiming the input to the place type, or some other equivalent expression. Thus, Applicant further amended the independent claims to clarify that what applicant is claiming is a system or method for creating a place type from a previously existing place, and the use of that place type for creating a new place.

The Salas et al. manner of creating the template is taught at Col. 6, lines 25ff in connection with Figure 5. A page builder uses a template to render the eRoom at the client. There is no teaching that the template which is input to the page builder is provided by or created from a previously existing eRoom (in Salas et al. environment) or place (in Applicants' environment).

The Examiner apparently agrees, stating with respect to claims 1 and 18, among others: "Salas differs from the claim in that Salas does not teach that the template can be created from a previously [created] eRoom. However, the feature of creating a template from an existing structure is known in the art as taught by Gershman." (Office Action, page 2).

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The Gershman Reference

The Examiner continues: "Gershman teaches a system that facilitates web-based information retrieval and display which comprises the use of existing code as a template (col 37, lines 27-30)."

This is what Gershman teaches:

"To increase BF's [Background-Finder] performance, more patterns/pattern groups are added to the procedure "CreatePatterns." The existing code for declaring patterns can be used as a template for future patterns. Because everything is stored as dynamic arrays, it is convenient to reuse code by cutting and pasting."
(Col. 37, lines 26-31).

Gershman is teaching "cutting and pasting" to create patterns and pattern groups for its Background-Finder (BF). The Gershman BF applies agent technology to provide targeted acquisition of information for a user's upcoming events.

" ...web-based information retrieval and display

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system. A wireless phone or similar hand-held wireless device with Internet Protocol capability is combined with other peripherals to provide a portable portal into the Internet. The wireless device prompts a user to input information of interest to the user. This information is transmitted [by] a query to a service routine (running on a Web server). The service routine then queries the Web to find price, shipping and availability information from various Web suppliers. This information is formatted and displayed on the hand-held device's screen. The user may then use the hand-held device to place an order interactively." (Col. 3, lines 9-28).

"... Background-Finder (BF) is implemented as an agent responsible for preparing an individual for an upcoming meeting by helping him/her retrieve relevant information about the meeting from various sources. BF receives input text in character form indicative of the target meeting. BF receives input text in character form indicative of the target meeting... As the time of the meeting approaches, the calendar program is queried to obtain the text of the target event and that information is utilized as input to the agent. Then,

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the agent parses the input meeting text to extract its various components such as title, body, participants, location, time etc. The system also performs pattern matching to identify particular meeting fields in a meeting text. This information is utilized to query various sources of information on the web and obtain relevant store is about the current meeting to send back to the calendaring system... the system updates the calendaring system and eventually the user with the best information it can gather to prepare the user for the target meeting." (Col. 10, line 58 to Col. 11, line 21.)

The Examiner, referring to Gershman Col. 37, lines 27-30, states that it would have been obvious to one of ordinary skill in the art "having the teaching of Salas and Gershman before him... to modify the method for creating place type taught by Salas to include Gershman's teaching with the motivation to create template in a more convenient and economic way by using existing code".

Applicants traverse.

The Examiner's combination relies, applicants assert,

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on hindsight reasoning using applicants' own invention as a "template" for assembling disparate teachings from the art.

Even granting that Gershman teaches cutting and pasting of code, Gershman is doing it for the purpose of enhancing the operation of a Background-Finder, and there is no suggestion or, applicants argue, motivation in either Gershman or Salas for applying Gerhman's code cut and past operation for building patterns for gathering information from the web to applicants' claimed place type for building of a fully functioning collaboration place thereafter usable without reference to the place type.

Applicants' Claims

Applicants have amended the claims to variously recite further features previously described as distinguishing the art references, including the following:

1. Using place type (skin) once to create a fully functioning collaborative space, which space can be used thereafter without reference to the place type. (Claims 1-10, 11, 12-17, 18-19.)

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2. Providing a list of place types from which places can be created, thereby allowing a user to select a place type for creating a collaboration space.
(Claims 2, 11, 19.)
3. Providing place types created by place type authors which are transportable from server to server. (Claim 11.)
4. Providing through the use of place types collaborative space characteristics including list of members with specific roles, data structure including folders and rooms, and aesthetics.
(Claims 1-10, 18-19.)

SUMMARY AND CONCLUSION

Applicants urge that the above amendments be entered to place the application in condition for allowance, and the case passed to issue with claims 1-19.

The Application is believed to be in condition for allowance and such action by the Examiner is urged. Should

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differences remain, however, which do not place one/more of the remaining claims in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below for the purpose of providing constructive assistance and suggestions in accordance with M.P.E.P. Sections 707.02(j) and 707.03 in order that allowable claims can be presented, thereby placing the Application in condition for allowance without further proceedings being necessary.

Sincerely,

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By


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Date: 22 Apr 2005

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